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4 Attorney for Defendant

5
6 UNITED STATES DISTRICT COURT

7 NORTHERN DISTRICT OF CALIFORNIA

8 UNITED STATES OF AMERICA,) No. CR 13-0448 TEH
9 Plaintiff,)
10 vs.) Stipulation and [Proposed]
11) Order Continuing Appearance
12 LIVIA LILL,) Date and Excluding Time
13 Defendant.) Pursuant to 18 U.S.C. § 3161
14 _____)

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17 Defendant LIVIA LILL, represented by Mark Rosenbush, and the government,
18 represented by AUSA Kyle Waldinger, appeared on November 18, 2013 for a status conference.
19 Additional discovery was delivered to the defense on that day. The matter was continued to
20 December 16, 2013 for further status conference. By this stipulated motion the parties are
21 requesting that the status conference be continued to January 27, 2014, at 2:30 p.m. This is a
22 complex matter, involving voluminous discovery. The parties are actively conducting
23 negotiations in hopes of resolving the case. Counsel for defendant Lill requests additional time
24 to review the new discovery, discuss it with Ms. Lill, and further engage in negotiations with
25 AUSA Waldinger. The parties agree that the requested additional time is necessary for adequate
26 preparation of defense counsel, as well as to facilitate negotiations.

27 For that reason the parties agree and request that the December 16, 2013 appearance be
28 taken off calendar, and that the status conference be set instead for January 27, 2014, at 2:30

1 p.m. Additionally, the parties request that the time from December 16, 2013 until January 27,
2 2014 be excluded for adequate preparation and continuity of counsel.
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6 MELINDA HAAG
7 United States Attorney
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9 Dated: December 9, 2013
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12 /s/
13 KYLE F. WALDINGER
14 Assistant United States Attorney
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17 Dated: December 9, 2013
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20 /s/
21 MARK ROSENTHAL
22 Attorney for Defendant
23 LIVIA LILL
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26 [PROPOSED] ORDER
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29 Based on the foregoing representations, the stipulation of the parties above, and for
30 adequate preparation and continuity of counsel, IT IS HEREBY ORDERED that the status
31 conference in this matter is continued from December 16, 2013 to 2:30 p.m. on January 27,
32 2014. Furthermore, based on the representations of counsel and for good cause, the Court finds
33 that failing to exclude time between December 16, 2013 and January 27, 2014 would
34 unreasonably deny the defendant adequate preparation and continuity of counsel, taking into
35 account the exercise of due diligence. 18 U.S.C. §3161 (h)(7)(B)(iv). The Court further finds
36 that the ends of justice served by excluding time for this period outweigh the best interest of the
37 public and the defendant in a speedy trial. Therefore IT IS HEREBY ORDERED that the time
38 between December 16, 2013 and January 27, 2014 shall be excluded from the computation under
39 the Speedy Trial Act, U.S.C. § 3161(h)(7)(A) and (B)(iv).
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42 Dated: 12/09/2013
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